

REMARKS

Claims 1 - 9, 19 - 32 and 38 remain active in this application. Claims 1 - 18, and 39 - 41 have previously been canceled. Claims 33 - 37 and 42 - 44 are currently canceled without prejudice or disclaimer. Claims 1 - 9, 19, 20, 22, 23, 26, 31, 32 and 38 have been amended in direct response to the Examiner's criticisms thereof. Claim 38 has been rewritten in independent form. No new matter has been introduced into the application. The indication of allowability of claims 1, 19, 23 and 38 is noted with appreciation.

OK

The Examiner has objected to the specification as being inconsistent with Figure 3A of the drawings in regard to reference numeral 74. This objection is respectfully traversed as being moot in view of the proposed revision of Figure 3A, for which the Examiner's approval has been requested above.

Specifically, as the Examiner notes, the specification identifies reference numeral 74 with the P-base which is so labeled in Figure 3A and in the same layer to which the reference numeral 74 was originally affixed. Thus, in response to the objection, it is proposed that reference numeral 74 be relocated to a location adjacent to the "P-base" legend. Accordingly, it is respectfully submitted that this revision is a full and complete response to the objection and reconsideration and withdrawal thereof is respectfully requested.

The Examiner has objected to claims 1 - 9, 19 - 21, 23 - 38 and 42 - 44 in regard to various matters of form: the Examiner criticizing claims 1 - 9, 19, 20, 23, 31, 32, 33, 34 - 38 and 42. This objection is respectfully traversed as being moot in view of the above amendments and cancellation of claims.

Specifically, claims 1 - 9, 19, 20, 23, 31, 32 and 38 have been amended to directly respond to each of the

Examiner's criticisms and claims 33 - 37 and 42 - 44 have been canceled. Therefore, it is respectfully submitted that all remaining claims are in proper form and reconsideration and withdrawal of this objection is respectfully requested.

Claims 4 - 9, 32, 43 and 44 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. This ground of rejection is respectfully traversed. Supporting illustration and written description of the subject matter of each claim included in this ground of rejection will be listed below. In general, however, it is noted that the Examiner does not raise any issue in regard to enablement while appearing to assert that specific circuits including particular types of elements, while clearly disclosed in the form of a circuit are not specifically described in regard to packaging of discrete elements comprising a disclosed circuit. In this regard, the Examiner's attention is respectfully called to the Statute relied upon in which the requirements for sufficiency of the written description are, in fact, set out only in terms of enablement of persons "skilled" in the art. Therefore, it is respectfully submitted that 35 U.S.C. §112 does not provide authority or support for the Examiner's apparent position or the rejection made. In this regard, the Examiner's attention is also called to page 21, lines 6 - 8 which explicitly states that various types of switching devices may be used, at least for Q2 and alternatives for Q1 are, in fact, otherwise disclosed in Figures 1 - 14, as well. Further, it is respectfully submitted that the claims are also self-supported by the terms and language thereof.

Enabling disclosure for the claims rejected is as follows:

Claims 4, 6 and 7: A third MOS transistor and the recited combination of transistor types is illustrated

integrated forms at least in Figures 1C, 1D, 7A and 7B, described at page 7, lines 6 - 12 and page 15, lines 13 - 23.

integrated forms Claim 5: A PMOS transistor as the "first transistor" is illustrated in Figures 1A and 1B and described on pages 6 and 7.

OK Claim 8: Metal layer 402 is respectfully submitted to be well-described as a "strap" and is illustrated in Figure 17A and described on page 21.

integrated form Claim 9: The diode connection is illustrated in Figures 2A and 2B and described on page 7.

Claim 32: The capacitor connection is shown in Figures 18 and 19 and described on page 22.

OK While claims 43 and 44 have been canceled, Applicant does not acquiesce in this rejection in regard to claims 43 and 44 since the subject matter of these claims is well-illustrated in Figures 10A, 10B, 11A, 11B, 12A and 12B and fully described in the specification.

Accordingly, it is respectfully submitted that this ground of rejection is clearly in error since clearly enabling disclosure, both written and illustrated is clearly provided in the application. Therefore, it is respectfully requested that this ground of rejection be reconsidered and withdrawn.

2, 3, 8, 22 - 32 and 34 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. This ground of rejection is also respectfully traversed.

In regard to the rejection of claims 2, 3 and 8, it is respectfully submitted that there is no requirement that the claims explain the invention but only to define it in a manner which is distinct from the prior art and such that the scope of the claimed subject matter can be reasonably determined. More specifically, the Examiner asserts that a floating ohmic contact and a metal strap can only be present in the monolithic embodiment of the invention and not the

package embodiment claimed. On the contrary, a wire between discrete components that control the voltage thereon would be well-described as a floating ohmic contact and connections are often formed between discrete components as a metal strap (e.g. for reducing communication of mechanical forces). Therefore, these recitations are clearly appropriate to the package embodiment of the invention. OK OK

In regard to claim 22, dependency has been revised above.

As to claims 23 - 25 and 26 - 32, antecedent language correspondence has been revised and is now believed to be correct. In regard to claims 26 - 32, it is also respectfully submitted that where a particular element recited by one term has been further defined as a particular type of element with a second term, it is irrelevant which of those terms is used for further reference to the element.

Accordingly, it is respectfully requested that this ground of rejection be reconsidered and withdrawn. Should any issue be seen to remain, it is respectfully requested that the Examiner contact the undersigned by telephone at the number given below in order to expeditiously resolve the same.

Claims 33, 35 - 37 and 42 - 44 have been rejected under 35 U.S.C. §102 as being anticipated by Broich et al. This ground of rejection is also respectfully traversed, particularly as being moot since these claims have been canceled above.

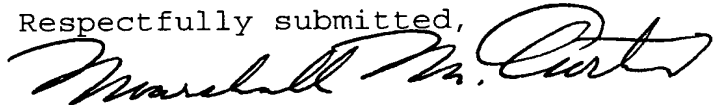
However, Applicant does not acquiesce in this ground of rejection since these claims have been canceled in view of the allowance of other claims and to expedite the prosecution of this application. Substantively, however, even if it is considered that the device of Broich et al., formed on a single substrate is a device package rather than discrete components, it is not clear from the Examiner's

statement of the rejection that all claimed elements are, in fact, answered by Broich et al. For example, column 6, lines 5 - 28, discuss how certain elements of the circuit of Figure 4 (which may be an equivalent circuit rather than an actual circuit) may be omitted and the mode of operation as described in that passage seems substantially different from that of the invention. In any event, the claims so rejected have been canceled to expedite the prosecution and the rejection is moot.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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Attachment:

Drawing sheet of Figures 3A and 3B

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